

IN THE SUPREME COURT OF TENNESSEE  
AT JACKSON

January 8, 2015 Session Heard at Knoxville

**LEA ANN TATHAM v. BRIDGESTONE AMERICAS  
HOLDING, INC., ET AL.**

**Appeal by Permission from the Court of Appeals, Western Section  
Circuit Court for Madison County  
No. C-09133      Donald H. Allen, Judge**

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**No. W2013-02604-SC-R11-CV – Filed October 30, 2015**

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GARY R. WADE, J., concurring in part and concurring in the judgment.

The majority has resolved the summary judgment issue by applying the federal standard recently adopted by this Court in Rye v. Women’s Care Center of Memphis, MPLLC, No. W2013-00804-SC-R11-CV (Tenn. 2015). As explained in my dissent in Rye, I disagree with the adoption of the federal standard and would instead retain our former summary judgment standard. In this instance, however, I would reach the same conclusion as the majority pursuant to the former standard. Accordingly, I concur in the judgment.

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GARY R. WADE, JUSTICE